

**KILPATRICK TOWNSEND & STOCKTON LLP**  
JONATHAN W. THOMAS (*Admitted Pro Hac Vice*)  
jwthomas@ktslaw.com  
The Grace Building  
1114 Avenue of the Americas  
New York, NY 10036  
Telephone: 212-775-8700  
Facsimile: 212-775-8800

DANIEL E. GAITAN (CA Bar No. 326413)  
dgaitan@ktslaw.com  
1801 Century Park East Suite 2300  
Los Angeles, CA 90067  
Telephone: 310-248-3830  
Facsimile: 310-860-0363

Attorneys for all Defendants

**UNITED STATES DISTRICT COURT**  
**FOR THE CENTRAL DISTRICT OF CALIFORNIA**

TRADER JOE'S COMPANY, a  
California corporation,

Plaintiff,

v.

JOEMART LTD D/B/A TRADER  
JOE, a corporation of the British Virgin  
Islands; SOJ TRADING LTD D/B/A  
JOEPEGS, a corporation of the British  
Virgin Islands; CHENG CHIEH LIU,  
an individual; and DOES 1-10,

Defendants.

Case No. 2:23-cv-08395-CBM (KSx)  
*Judge: Hon. Consuelo B. Marshall*

**[PROPOSED] ORDER GRANTING  
DEFENDANTS' MOTION TO  
DISMISS THE FIRST AMENDED  
COMPLAINT PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 12(B)(6) AND  
GRANTING DEFENDANTS'  
REQUEST FOR JUDICIAL NOTICE**

Date: April 2, 2024  
Time: 10:00 am P.T.  
Courtroom.: 8D

Complaint Filed: October 5, 2023

1 Before the Court is the Motion to Dismiss Plaintiffs Trade Joe's Company's  
2 ("Plaintiffs") First Amended Complaint (Dkt. 17), pursuant to Rule 12(b)(6) of the  
3 Federal Rules of Civil Procedure, filed by Defendant Joemart Ltd, Defendant SOJ  
4 Trading Ltd, and Defendant Cheng Chieh Liu (collectively, "Defendants").  
5 Defendants seeks dismissal of Plaintiff's First Amended Complaint, in its entirety,  
6 without leave to amend.

7 After reviewing the moving, opposition, and reply papers, and after performing  
8 a detailed review of the law on exhaustion of administrative remedies, it is hereby  
9 ordered:

10  
11 1. Defendants' Request for Judicial Notice is **GRANTED**.

12  
13 2. Defendants' Motion to Dismiss is hereby **GRANTED**. Plaintiff's First  
14 Amended Complaint is dismissed in its entirety, with prejudice, for failure to  
15 state a claim upon which relief can be granted.

16  
17  
18 DATED:

HON. CONSUELO B. MARSHALL